APPENDIX C

(CLEAN VERSION OF ALL PENDING CLAIMS)

(Serial No. 09/449,854)

CLAIMS

1. (Twice Amended) A method for producing a virus and/or viral proteins other than adenovirus or adenoviral proteins for use as a vaccine, said method comprising:

providing a cell with at least a sequence encoding at least one gene product of the E1 gene or a functional derivative thereof of an adenovirus;

providing said cell with a nucleic acid encoding said non-adenovirus and/or said non-adenoviral proteins;

culturing said cell in a suitable medium and allowing for expression of said non-adenovirus and/or said non-adenoviral proteins; and

harvesting said non-adenovirus and/or said non-adenoviral proteins from said suitable medium and/or said cell.

2. (Twice Amended) The method according to claim 1 wherein said cell is a human primary cell.

3. (Twice Amended) The method according to claim 2 wherein said human primary cell is immortalized by a gene product of the E1 gene.

4. (Amended) The method according to claim 2 wherein said cell is derived from a human embryonic retinoblast.

5. (Twice Amended) The method according to claim 2 wherein said at least a sequence encoding said least one gene product of the E1 gene is present in a genome of said human primary cell.

6. (Amended) The method according to claim 1 wherein said cell does not produce adenoviral structural proteins.

7. (Twice Amended) The method according to claim 2 wherein said cell further comprises a sequence encoding E2A or a functional derivative, analogue or fragment thereof.

8. (Twice Amended) The method according to claim 7 wherein said sequence encoding E2A or a functional derivative, analogue or fragment thereof, is present in a genome of said human primary cell.

9. (Twice Amended) The method according to claim 7 wherein said sequence encoding E2A or a functional derivative, analogue or fragment thereof, encodes a temperature-sensitive mutant E2A.

10. (Twice Amended) The method according to claim 2 wherein said human primary cell comprises no other adenoviral sequences.

11. (Amended) The method according to claim 2 wherein said human primary cell is grown in suspension.

12. (Amended) The method according to claim 2 wherein said human primary cell is cultured in the absence of serum.

13. (Twice Amended) The method according to claim 2 wherein said human primary cell is PER.C6 as deposited under ECACC no. 96022940 or derivative thereof.

14. (Twice Amended) The method according to claim 1 wherein said virus and/or said viral proteins comprise a protein that undergoes post-translational and/or peri-translational modifications.

15. (Twice Amended) The method according to claim 14 wherein said post-translational and/or peri-translational modifications comprise glycosylation of a viral protein.

16. (Twice Amended) The method according to any one of the foregoing claims wherein said viral proteins comprise at least one of an Influenza virus neuramidase or a hemagglutinin.

17. (Twice Amended) The method according to claim 1 wherein said non-adenovirus is selected from the group of non-adenoviruses consisting of enterovirus, rhinovirus, aphtovirus, poliomyelitis virus, herpesvirus, herpes simplex virus, pseudorabies virus, bovine herpes virus, orthomyxovirus, influenza virus, paramyxovirus, New Castle disease virus, respiratory syncitio virus, mumps virus, measles virus, retrovirus, human immunodeficiency virus, parvovirus, papavovirus, rotavirus, coronavirus, transmissible gastroenteritis virus, flavivirus, tick-borne encephalitis virus, yellow fever virus, togavirus, rubella virus, Eastern equine encephalomyelitis virus, Western equine encephalomyelitis virus, Venezuelan equine encephalomyelitis virus, hepatitis causing virus, hepatitis A virus, hepatitis B virus, pestivirus, hog cholera virus, rhabdovirus, and rabies virus.

25. (Twice Amended) An improvement in a process for producing a non-adenovirus or non-adenoviral protein for use in a vaccine for use in a human subject, said process being of the type wherein a cell line is infected with a virus, said improvement comprising:

using, as said cell line in said process, a human cell having a sequence encoding at least one E1 protein of an adenovirus or a functional derivative, homologue or fragment thereof in its genome, in which said human cell does not produce structural adenoviral proteins.

26. (Twice Amended) The improvement of claim 25 wherein said human cell is derived from a primary cell.

27. (Twice Amended) The improvement of claim 25 wherein said human cell is a PER.C6 cell or a derivative thereof.

28. (Twice Amended) The improvement of claim 25 wherein said human cell further comprises a sequence encoding adenoviral E2A or a functional derivative, analogue or fragment thereof in its genome.

29. (Twice Amended) The improvement of claim 28 wherein said adenoviral E2A is temperature sensitive.

30. (Twice Amended) A non-adenovirus or non-adenoviral protein for use in a vaccine produced by the method of claim 1, said adenovirus or said adenoviral protein being free of any non-human mammalian proteinaceous material.

31. (Twice Amended) A human cell having a sequence encoding at least one E1 protein of an adenovirus or a functional derivative, homologue or fragment thereof in its genome, in which said human cell does not produce structural adenoviral proteins, and said human cell further having a nucleic acid encoding a virus or at least one non-adenoviral protein.

32. (Amended) The human cell of claim 31 which is derived from PER.C6 as deposited under ECACC no. 96022940.

33. (Twice Amended) The human cell of claim 31 which further comprises a sequence encoding adenoviral E2A or a functional derivative, analogue or fragment thereof, in said human cell's genome.

34. (Amended) The human cell of claim 33, wherein said adenoviral E2A is temperature sensitive.

35. (Amended) The method according to claim 2 wherein said human primary cell is immortalized by a gene product of said E1 gene.